GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Commercial Taxes Department – Common Disciplinary Proceedings issued against Sri M.Sudhakara Rao, Joint Commissioner (ST), Visakhapatnam-II Division and 4 others under Rule 24 of Andhra Pradesh Civil Services (CCA) Rules, 1991 including Sri T.Someswara Rao, AEO – Article of Charges issued – Deleting the name of Sri T.Someswara Rao, AEO from Common Disciplinary Proceedings – Withdrawing the Article of Charges issued against Sri T.Someswara Rao, AEO - Orders – Issued

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REVENUE (VIGILANCE.VI) DEPARTMENT

G.O.Ms.No.175 Dated13.04.2023

Read the following:

1. G.O.Ms.No.02, Revenue (CT.II) Department, dt:02.01.2023.
2. G.O.Rt.No.05, Revenue (CT.II) Department, dt:02.01.2023.
3. Orders of Hon'ble High Court in WP No.5934/2023, dt:16.03.2023.

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ORDER:

Whereas in the reference 1st read above, Common Disciplinary Proceedings were issued against Sri M.Sudhakara Rao, Joint Commissioner (State Tax), Visakhapatnam-II Division and 4 others including Sri T.Someswara Rao, AEO, O/o the AC(ST), Airport Circle, Visakhapatnam for their allegations of corruption, harassment, indiscipline and abuse of official power. Further, Article of Charges were issued vide reference 2nd read above against Sri T.Someswara Rao, AEO, O/o the AC(ST), Airport Circle, Visakhapatnam.

2. Sri T.Someswara Rao, AEO, O/o the AC(ST), Airport Circle, Visakhapatnam has filed WP No. 5934/2023 before the Hon'ble High Court with a prayer to set aside or quash the proceedings issued in the G.O. 1st and 2nd read above. Hon'ble High Court in its orders dt:16.03.2023 has passed the following orders (operative portion):

> *"It is an admitted fact that the name of the petitioner is not mentioned in the compliant submitted by the 3rd respondent dated 02.12.2022. It is also not in dispute that upon enquiry, the address of the petitioner was not tallied with the address of the compliant which can be called as anonymous compliant. It is also not in dispute that the charge framed against the petitioner is common to the five persons by way of G.O.Ms.No.2 dated 02.01.2023(referred supra) but the charge is specific and definite with regard to the petitioner.*
>
> *In view of the foregoing discussions, prima facie there is substance in the contention of the petitioner and since the charge memo dated 02.01.2023 issued against the petitioner is not in accordance with Rule 20(3) of the CCA Rules, 1991. Hence, the said charge memo dated 02.01.2023 is liable to be quashed.*
>
> *Accordingly, the impugned charge memo issued vide G.O.Rt.No.5 Revenue (CT.II) Department, dated 02.01.2023 is quashed. However, it is needless to observe that the respondents are at liberty to issue afresh charge memo in accordance with the Rule 20(3) of the CCA Rules, 1991 within a reasonable time and proceed further in accordance with law".*

3. Government after careful examination of the matter, have decided and hereby order to delete the name of Sri T.Someswara Rao, AEO, O/o the AC(ST), Airport Circle, Visakhapatnam from the orders of the Common disciplinary proceedings issued in the G.O. 1st read above. Government also hereby withdraw the orders issued in the G.O. 2nd read above wherein Article of Charges have been framed against Sri T.Someswara Rao, AEO, O/o AC(ST), Airport Circle, Visakhapatnam.

(P.T.O)

4. The CCST, A.P. shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

N.GULZAR
SECRETARY TO GOVERNMENT (CT)

To
Sri T.Someswara Rao, AEO, O/o the AC(ST), Airport Circle, Visakhapatnam (U/s), *(through Chief Commissioner of State Tax, A.P., Kunchanapalli, Guntur)*
Sri S E Krishna Mohan Reddy, Additional Commissioner O/o CCST, AP, Guntur & Inquiry Officer.
Smt. G Sumathi, Joint Commissioner (State Tax), Kakinada & Presenting Officer.
The Chief Commissioner of State Tax, A.P., Kunchanapalle, Guntur.
Copy to:
PS to Secretary to Govt. (CT).
The file.

//FORWARDED:: BY ORDER//

SECTION OFFICER